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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,134	09/29/2005	Dennis Karlsson	95-725-P1791	4299

20736 7590 09/17/2007
MANELLI DENISON & SELTER
2000 M STREET NW SUITE 700
WASHINGTON, DC 20036-3307

EXAMINER

LEE, GUNYOUNG T

ART UNIT	PAPER NUMBER
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2875

MAIL DATE	DELIVERY MODE
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09/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/551,134	KARLSSON, DENNIS	
	Examiner	Art Unit	
	Gunyoung T. Lee	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/11/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/11/2007</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on 07/11/2007 has been entered:
 - Claims 8 and 10-12 have been amended;
 - Claims 8-22 are pending in this application, with claim 8 being independent.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "r" and "h" in Fig. 5a filed on 07/11/2007 have both been used to designate "bend radius". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 9-10 are objected to because of the following informalities:
 - Claim 9 repeats the features claimed on lines 9-10 of the preceding claim 8;
 - Lines 3-4 of claim 10 are unclear.

Appropriate corrections are required.

Art Unit: 2875

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

5. Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ford (US 2,354,367).

6. Ford discloses a display sign having:

- A convex front side (Fig. 2), a rear side (15) and at least one side surface (19);
- The side surface (19) extends and links between the front side and the rear side (15);
- A light guiding transparent material (11) (page 1, col. 2, lines 6-9) (page 2, col. 1, lines 16-18) constructed and arranged (Figs. 1 and 2) to guide light between the front side, the rear side (15) and the side surface (19) (page 2, col. 1, lines 22-30);
- A lighting appliance (10) being arranged (Fig. 1) in connection with the side surface (19) in order to emit light to the light guiding material (11) (page 2, col. 1, lines 22-30);
- The rear side (15) comprises figures (14) reflecting the light from the lighting appliance (10) (page 2, col. 2, lines 13-25) through the front side of the sign (page 2, col. 1, lines 18-25); and
- The convex front side (Fig. 2) is at least partially in direct communication with the rear side (14) (page 2, col. 1, lines 22-25);

- The convex front side (Fig. 2) has a radius and a height being measured perpendicular to the rear side (15);
- The convex front side (Fig. 2) has a maximum (height point);
- The height (Fig. 2) is at least 1/3 of a radius length of the rear side (15);
- The front surface (Figs. 1 and 2) extends between two opposing side surfaces 19, 20);
- The lighting guiding material (11) has a rod shape (Figs. 1 and 2); and
- The lighting appliance (10) comprises at least one light-emitting element (Fig. 1).

Claim Rejections - 35 USC § 103

7. Claims 15 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford (US 2,354,367), as applied to claims 8-10 and 13-14 above, and further in view of Wyss (US 2,297,851).

8. In regard to claims 15 and 19-22, Ford discloses the invention substantially as claimed including a casing (Fig. 5) concealing the light-emitting element in alternative embodiment (Fig 5). However, Ford does not expressly disclose that the casing prevents leakage of light. Wyss discloses an illuminated display device having a casing (12) preventing leakage (Fig. 2) of light from a light-emitting element (14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light leak preventing casing as shown in Wyss for the display sign of Ford, for the purpose of increasing the light intensity of the display sign by maximizing the use of the radiation energy emitted by the light-emitting element.

9. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford (US 2,354,367) and Wyss (US 2,297,851), as applied to claim 15 above.

10. In regard to claims 16-18, Ford and Wyss disclose the invention substantially as claimed except that a lighting/viewing angle of the display sign is at least 15 degrees. Since, it has been held by the courts that where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable value by routine experimentation (*In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235), it would have been obvious to one of ordinary skill in the art at the time the invention was made to set the lighting/viewing angle as being at least 15 degrees with the display sign of Ford modified by Wyss, for the purpose of providing a aesthetically pleasing illumination to the viewer with a high uniformity.

11. Applicant's arguments with respect to claims 8-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawahara et al. (US 5,810,463), Tung (US 5,842,297), Rapisarda (US 5,882,110), and Jenkins et al. (US 6,206,534) show lighting devices having light guides and corresponding light sources.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gunyoung T. Lee whose telephone number is (571) 272-8588. The examiner can normally be reached between 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached at (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

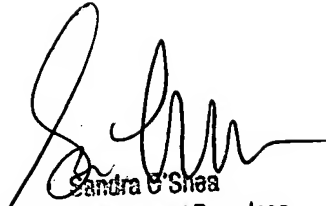
Application/Control Number: 10/551,134

Page 7

Art Unit: 2875

GTL

9/9/2007



Sandra C. Shea
Supervisory Patent Examiner
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